

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 CARY LEE PETERSON,

4 Plaintiff

5 v.

6 GUARDIAN FOR J. DOE, JOHN DOE,

7 Defendant

Case No.: 2:20-cv-00787-APG-DJA

**Order Accepting Report and  
Recommendation, Denying Application to  
Proceed in Forma Pauperis, and Setting  
Deadline to Pay Filing Fee**

[ECF Nos. 4, 5]

8 On May 21, 2020, Magistrate Judge Albregts recommended that plaintiff Cary Peterson's  
9 application to proceed in forma pauperis be denied and that I set a deadline for him to pay the  
10 full \$400 filing fee. ECF No. 5. Peterson did not file objection. Thus, I am not obligated to  
11 conduct a de novo review of the report and recommendation. 28 U.S.C. § 636(b)(1) (requiring  
12 district courts to "make a de novo determination of those portions of the report or specified  
13 proposed findings to which objection is made"); *United States v. Reyna-Tapia*, 328 F.3d 1114,  
14 1121 (9th Cir. 2003) (en banc) ("the district judge must review the magistrate judge's findings  
15 and recommendations de novo *if objection is made*, but not otherwise" (emphasis in original)).

16 I THEREFORE ORDER that Magistrate Judge Albregts' report and recommendation  
17 **(ECF No. 5) is accepted** and plaintiff Cary Peterson's application for leave to proceed in forma  
18 pauperis **(ECF No. 4) is DENIED**.

19 I FURTHER ORDER that by July 22, 2020, plaintiff Cary Peterson shall pay the full  
20 filing fee of \$400. Failure to pay the fee will result in this case being dismissed without  
21 prejudice.

22 DATED this 22nd day of June, 2020.

23 

ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE